

# REGULATORY MATTERS

A veritable alphabet soup of state and federal agencies regulates activities at the INEEL, including the Environmental Protection Agency (EPA), the Nuclear Regulatory Commission (NRC), and the Idaho Department of Environmental Quality (DEQ). DEQ is the lead agency overseeing INEEL's compliance with environmental laws.

## Permits

For each hazardous waste operation at INEEL, DOE and its contractor must apply for a permit under the federal Resource Conservation and Recovery Act (RCRA). DEQ reviews all applications for RCRA permits.

If the application meets all relevant requirements, DEQ issues a hazardous waste permit to the facility. If not, the permit is denied, and the operation must cease or not begin.

Permits establish operating conditions within limits determined by government scientists to be safe. So long as the facility operates according to the permit, it poses little, if any, threat to people or the environment.

## Enforcement

Permits aren't worth the paper they're printed on if they are not followed, and odds are they won't be followed if they're not enforced. This is the second part of DEQ's regulatory process. DEQ inspectors make sure facilities are in compliance with permit conditions; if they are not, DEQ may issue warning letters or Notices of Violation, or file civil actions in court. Typically, the violator will take corrective actions, and negotiate a fine or other restitution.

DEQ's regulatory philosophy emphasizes clear communication of expectations. If facilities understand exactly what constitutes compliance, they will be less likely to fudge, hedge, or inadvertently break the rules. According to DEQ Director Steve Allred, the objective is "to help create an environment in which violations don't occur."

Given the scope of INEEL's operations, however, finding no violations may be a utopian goal. Everyone involved in regulating INEEL agrees that the biggest challenge is its sheer size and complexity. Along with this size comes an institutional inertia that makes it difficult to move down the path to full compliance. "INEEL is a giant mountain," says Mike Gregory, Hazardous Waste Enforcement Coordinator at DEQ. "It's taken years of chipping away to get that mountain to move."



*INEEL waste managers confer during a 1978 inspection. Boxes of contaminated soil and debris are in the background.*



*An INEEL waste manager during a 1996 inspection at the Test Reactor Area. A hazardous waste storage area is in the background.*



*An area used for short-term storage of hazardous waste at the Test Reactor Area. Note the fence, the locked gate, and the warning signs. These protective measures are required by hazardous waste regulations.*



*Overview of permitted hazardous mixed waste storage area.*